

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DANIEL SZAROLETA,

Plaintiff,

07 Civ. 7639 (DLC)

-against-

METRO-NORTH COMMUTER RAILROAD,

Defendant.

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PLAINTIFF'S REQUEST FOR VOIR DIRE

1. Present address?
2. Occupation?
3. Married?
4. If applicable, spouse's occupation.
5. Children? If so, children's occupation.
6. Has any prospective juror, member of his family, or close friends, ever brought a claim for personal injuries? If so, please explain the circumstances.
7. Has any prospective juror, member of his family, or close friends, ever been involved in a lawsuit either as a plaintiff or defendant. If so, please explain the circumstances.
8. Have any prospective jurors ever served on a jury before? If so, please explain when, where, type of case and if it went to verdict.
9. Does any prospective juror, member of his family, or close friends, work or have any relationship whatsoever with the defendant, Metro-North Commuter Railroad.

10. Does any prospective juror, member of his family, or close friends, know any of the witnesses that may be called to testify:

Daniel Szaroleta

Beth Szaroleta

Bob Malaspina

Dan Sevin

Dr. Jason Cohen

Dr. Louis Abenante

Dr. Nicolas DiProspero

Dr. Nassar Ani

11. Have any of you panel members studied law?

12. Have any of you panel members studied medicine?

13. Do any of the panel members have a close relative or friend who is a:

a) trial lawyer

b) orthopedic doctor

14. Plaintiff is a member of a union. Does any prospective juror have any beliefs or opinions concerning unions or their members which will factor into your judgment in this case?

15. Has any prospective juror or their close family relative ever suffered from a hip or back injury?


16. If so, do they still suffer lingering effects from those injuries and is there anything about your experience that would prevent you from rendering a fair verdict?

17. If I give you an instruction at the end of the case that if you should find for the plaintiff you must consider an award for pain and suffering, is any prospective juror unwilling, based on person, beliefs or opinions, to award monetary damages for pain and suffering to personal injury claimants?

18. This case involves a claim for an on-the-job injury that is not governed by State Workers' Compensation laws but rather a Federal law that I shall explain to you at the end of the case. Can you set aside your understanding of Workers' Compensation Laws and apply the law I give you at the end of the case?

DATED: NASSAU, NEW YORK
April , 2008

Law Offices of Michael Flynn PC
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By: 
MARC WIETZKE

TO: Ioana Wenchell, Esq.
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